

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

AARON SIEGEL, JASON COOK,
JOSEPH DELUCA, NICOLE CUOZZO,
TIMOTHY VARGA, CHRISTOPHER
STAMOS, KIM HENRY, AND
ASSOCIATION OF NEW JERSEY
RIFLE AND PISTOL CLUBS, INC.,

Plaintiffs,

v.

MATTHEW J. PLATKIN, in his official
capacity as Attorney General of the State
of New Jersey; and PATRICK
CALLAHAN, in his official capacity as
Superintendent of the New Jersey State
Police,

Defendants.

No. 22-CV-7463 (RMB) (AMD)

RONALD KOONS; NICHOLAS
GAUDIO; JEFFREY M. MULLER;
SECOND AMENDMENT
FOUNDATION; FIREARMS POLICY
COALITION, INC.; COALITION OF
NEW JERSEY FIREARM OWNERS; and
NEW JERSEY SECOND AMENDMENT
SOCIETY,

Plaintiffs,

v.

WILLIAM REYNOLDS in his official
capacity as the Prosecutor of Atlantic
County, New Jersey; GRACE C.

No. 22-CV-7463 (RMB) (AMD)

MACAULAY in her official capacity as the Prosecutor of Camden County, New Jersey; ANNEMARIE TAGGART in her official capacity as the Prosecutor of Sussex County, New Jersey; MATTHEW J. PLATKIN, in his official capacity as Attorney General of the State of New Jersey; and PATRICK CALLAHAN, in his official capacity as Superintendent of the New Jersey State Police,
Defendants.

CERTIFICATION OF GEORGE FEDORCZYK

GEORGE FEDORCZYK, of full age, upon her oath certifies and says:

1. I am the Chief of the New Jersey State Park Police (the “SPP”), within the New Jersey Department of Environmental Protection (“NJDEP”).
2. As the Chief of the SPP, I have personal knowledge of the material facts of this Certification.
3. NJDEP administers New Jersey’s state park land.
4. Title 13 of the New Jersey Administrative Code provides the State Park Police the authority to arrest without any warrant any person violating any law of the State committed in their presence and bring the offender before any court having jurisdiction to receive the complaint of such violation.
5. Title 7 of the New Jersey Administrative Code is the State Park Service Code. The primary responsibility of the State Park Police is to protect the Natural Resources and Historic Treasures of our State Parks, Forests, and

Historic Sites and the safety, security, and well being of all who visit them. This includes Section 7:2-2.17 of the New Jersey Administrative Code, which references the use of any firearm or bow and arrow on State Park Service Property.

6. As Chief of the SPP, I currently supervise a staff of 82 law enforcement officers that are charged with patrolling and protecting visitors and enforcing laws and regulations to protect the assets and sensitive natural and cultural resources within State Parks. State Park Police Officers currently patrol 98 State Parks, Forests, Historic Sites and 6 marinas statewide. In addition to the State, Parks, Forests and Historic Sites the State Park Police responds to and provides law enforcement services to 114 Natural Land Trusts. The patrol area for the State Park Police currently encompasses over 450,000 acres of land and growing as new land acquisitions by the DEP continue. This presents an officer safety issue as most, if not all, officers patrol alone and are spread out across the state. Assistance from another State Park Police officer is not always immediate and can be anywhere from 30 to 60 minutes away.

7. NJDEP has broad authority to manage State Parks for recreational purposes. N.J.S.A. 13:1B-5(a); N.J.S.A. 13:1L-9; N.J.S.A. 13:1B-15.101(a); N.J.S.A. 13:1B-15.101(g); N.J.S.A. 28:1-4.

8. In furtherance of its statutory directives, NJDEP has promulgated the State Park Service Administrative Code, N.J.A.C. 7:2, which governs the use of these State Parks.

9. The State Park Service Administrative Code does not allow for the possession or discharge of a firearm or similar weapon in State Parks, unless for permitted recreational hunting in designated areas or other specifically approved firearm possession or use. N.J.A.C. 7:2-2.17, -2.18(a), -2.22(a). The DEP firearm restriction was adopted on October 7, 1991. NJDEP allows the State Park Police and Conservation Police or other law enforcement agencies to possess firearms in State Parks.

10. Since 2012, the State Park Police has responded to an annual average of 172 complaints related to domestic violence, assaults, various disturbances, and disorderly persons offenses. Domestic related incidents account for 13 calls per year on average. These incidents are particularly dangerous for law enforcement. As explained by one domestic violence organization, “[s]tudies reveal that the lethality factor for police officers responding to domestic disturbances increases significantly because a police presence threatens the offender’s perceived power. The abuser’s emotions can begin to escalate due to a lack of power and control, and out of a desperate state, they may ultimately explode, prompting them to display totally disregard for a

police officer's safety or life. If drugs or alcohol are involved, this contempt is magnified."¹ For the calendar year of 2022, we saw a 10-year high with 220 complaints which include 22 domestic related incidents. The bulk of these responses occur during the high-volume season between Memorial Day and Labor Day. Potential firearm possession would add another issue that may result in escalation of the issue where service was requested.

11. State Park Police does not have a system in place to determine if an individual visiting a State Park is currently approved for a concealed carry permit, meaning information is not available on whether officers should expect a firearm to be present at an incident prior to responding to a call. This creates an officer-safety concern, because "officers are forced to operate based on limited or inaccurate information."²

12. Many campers arrive at State Parks with equipment that can be used as weapons. Edged tools such as axes, hatchets and knives are a regular occurrence at most, if not all, campsites. Park Police officers prepare for these potential weapons, but historically there is no expectation of concealed firearms during these encounters.

¹ See Genesis Women's Shelter & Support, *First Responder Lethality on Domestic Violence Calls* (Jul 26, 2021), <https://www.genesisshelter.org/first-responder-lethality-on-domestic-violence-calls/>.

² *Id.*

13. If the unrestricted carry of firearms were permitted as a default by any visitor of a State Park, it would undermine public safety, given that State Parks host large events. State Park Police provide law enforcement services for all of the events hosted in the state parks and often require the assistance of outside agencies. The Veuve Clicquot Polo Classic is an annual event at Liberty State Park that brings 5,000-8,000 spectators in addition to the daily visitation. Fleet Week, also at Liberty State Park, draws 3,000-5,000 visitors. July 4th festivities can bring attendance around 60,000 visitors to Liberty State Park. These are just a few of the larger scale events hosted in our parks and require planning throughout the year. Allowing concealed firearms would put a larger burden on the planning of such events as most events will require some level of private security. Currently, the Veuve Clicquot Polo Classic is the only event that provides metal detectors at the entrance, but these are only accessible by ticketed spectators.

The foregoing statements are true to the best of my knowledge, information, and belief. I am aware that, if any of the statements are willfully false, I may be subject to punishment.



GEORGE FEDORCZYK
Chief

New Jersey State Park Police
New Jersey Department of
Environmental Protection

Dated: 2-10-2023